

**Kansas Corporation Commission**  
**Commission Meeting**  
**May 17, 2016**  
10:00 a.m. 1<sup>st</sup> floor hearing room  
KCC Offices, 1500 SW Arrowhead, Topeka, Kansas

**MINUTES**

The Commission convened the regularly scheduled open meeting of the Commission at 10:00 a.m. on May 17, 2016 in the 1<sup>st</sup> floor hearing room of the Kansas Corporation Commission, 1500 SW Arrowhead, Topeka, Kansas.

Present: Chairman Emler and Commissioner Albrecht. Commissioner Apple was not in attendance. The following were considered by the Commission:

1. **Consent Agenda:** Commissioner Albrecht moved for approval of the Consent Agenda: All other listed matters as presented for May 17, 2016 on the 4 page document attached hereto as "Attachment A," which is included by reference herein. Commissioner Emler seconded the motion. Motion was approved.

2. **Noticed:**

- A. **Docket No. 15-TKOG-236-COM, *In the Matter of the Complaint Against Texas-Kansas Oklahoma Gas, LLC for an Order for Adjustment and Refund of Unfair, Unreasonable and Unjust Rates for the Sale of the Natural Gas for Irrigation Based on Inaccurate and/or False Pressure Base Measurements, By Circle H Farms, LLC, Richard L. Hanson, Rome Farms, and Stegman Farms Partnership.***

Commissioner Albrecht moved for approval of order #16-1680 - *Order Denying Request for Trial of Issues at Law*. Commissioner Emler seconded the motion. Motion was approved.

- B. **Docket No. 16-CONS-714-CSHO, *In the matter of an Order to Show Cause issued to Dunbar & Son Oil Enterprises, Inc. ("Operator") regarding responsibility under K.S.A. 55-179 for unplugged wells on an expired license.***

Commissioner Albrecht moved for approval of order #16-1669 - *Order Affirming Default Order*. Commissioner Emler seconded the motion. Motion was approved.

- C. **Docket No. 16-TAGC-323-SHO, *In the Matter of a General Investigation of TAG Mobile, LLC to Show Cause Why This Commission Should Not Initiate Sanctions and Fines and Cancel, Suspend and Revoke Any Authority the Carrier Currently Holds.***

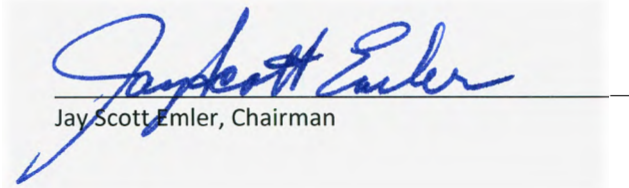
Commissioner Albrecht moved for approval of order #16-1681 - *Order Denying Mtn. to Dismiss; Granting Evidentiary Hrg.; Designating Prehearing Officer; and Protective and Discovery Order*. Commissioner Emler seconded the motion. Motion was approved.

There being no further matters before the Commission, Commissioner Albrecht moved for adjournment of the Commission meeting. Commissioner Emler seconded the motion. The motion was approved. The Commission adjourned the May 17, 2016 Commission Meeting at 10:07 a.m.

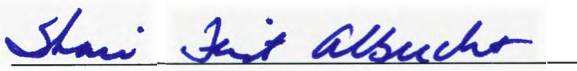
Respectfully submitted,



Amy L. Green  
Secretary



Jay Scott Emler, Chairman



Shari Feist Albrecht, Commissioner



Pat Apple, Commissioner



## ITEMS OF Consent Agenda

Approval Date: Tuesday, May 17, 2016

**NOTICE TO THE PUBLIC:** There will be no separate discussion of Consent Agenda items as they are considered to be routine by the Kansas Corporation Commission. Unless removed from the website's Consent Agenda, the orders appearing on the Consent Agenda will become the Order of the full Commission at the Commission's regularly scheduled Business Meeting. If Commission staff or a Commissioner requests an item be removed from the Consent Agenda, the affected item may be considered separately or placed on the earliest possible Business Meeting agenda for discussion.

### Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
1	In the Matter of Southwestern Bell Telephone Company, For Permission to Revise the Exchange Boundary to Transfer Territory From Scandia Exchange to Rural Telephone Service Company's Courtland Exchange. <i>Corrections to Order</i>	16-SWBT-373-CXB	
2	In the Matter of Rural Telephone Service Company Inc. d/b/a Nex-Tech For Permission to Revise its Courtland Exchange Boundary to Transfer Territory From Southwestern Bell Telephone Company's Scandia Exchange. <i>Order Correcting Certificate</i>	16-RRLT-374-CXB	
3	In the Matter of the Application of Southwestern Bell Telephone Company Filing Revisions to Transfer Territory from Parkview-Maize Zone to the Wichita Zone of the Wichita, Kansas Metropolitan Exchange. <i>Order Approving Zone Modification</i>	16-SWBT-477-CXB	
4	In the Matter of the Application of Gorham Telephone Company Filing Revisions to Add Calling Features and Remove Services no Longer Available. <i>Order Approving Tariff Revisions</i>	16-GRHT-488-TAR	



## Consent Agenda

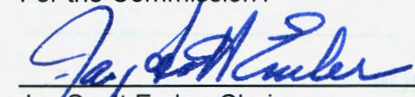
ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
5	In the Matter of the United Telephone Companies of Kansas Filing Tariff Revisions to Eliminate CenturyLink's Operator Services Features Busy Line Verification and Interrupt for Residence and Business Customers. <b>Order Approving Tariff Revisions</b>	16-UTDT-506-TAR	
6	In the Matter of the Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of Revisions to Their General Terms and Conditions to Implement an Optional Prepay Service Pilot Program. <b>Order Granting Joint Motion to Extend Term of Prepay Pilot Program</b>	14-WSEE-148-TAR	
7	In the Matter of the Application of Midwest Energy, Inc. Seeking Commission Approval to Update Attachment H of its Open Access Transmission Tariff <b>Protective Order and Discovery Order</b>	16-MDWE-324-TFR	
8	In the Matter of the Application of Kansas City Power & Light Company for Approval of Its 2015 Actual Cost Adjustment ("ACA") <b>Protective Order and Discovery Order</b>	16-KCPE-388-ACA	
9	In the Matter of the Joint Application of Westar Energy, Inc. and Kansas Gas and Electric Company for Approval of their Annual Energy Costs Correction Adjustment Factor. <b>Protective Order and Discovery Order; Order Granting CURB Intervention</b>	16-WSEE-421-ACA	
10	In the Matter of the Application of Kansas City Power & Light Company For Approval of Its Demand-Side Management Portfolio Pursuant to the Kansas Energy Efficiency Investment Act ("KEEIA"), K.S.A. 66-1283. <b>Order Granting Petition to Intervene of Climate and Energy Project</b>	16-KCPE-446-TAR	
11	In the Matter of the Investigation of Consolidated Communications, Inc. of Lenexa, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <b>Amended Penalty Order</b>	16-DPAX-474-PEN	
12	In the Matter of the Investigation of Time Warner Cable Business LLC of Kansas City, Missouri, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <b>Amended Penalty Order</b>	16-DPAX-475-PEN	
13	In the Matter of the Investigation of Johnson County Wastewater of Mission, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <b>Penalty Order</b>	16-DPAX-509-PEN	

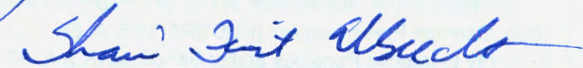
## Consent Agenda

ITEM NO.	DESCRIPTION	DOCKET NUMBER	REMOVED
14	In the Matter of the Investigation of City of Lenexa of Lenexa, Kansas, Regarding Violation(s) of the Kansas Underground Utility Damage Prevention Act (KUUDPA) (K.S.A. 66-1801, et seq., and K.A.R. 82-14-1 through 82-14-5), and the Commission's Authority to Impose Penalties and/or Sanctions (K.S.A. 66-1,151). <b>Penalty Order</b>	16-DPAX-510-PEN	
15	In the Matter of the Investigation of Ty Levi Rader, d/b/a T & B Towing of Liberal, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Penalty Order</b>	16-TRAM-504-PEN	
16	In the Matter of the Investigation of Asset Protection Services LLC of Hutchinson, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Penalty Order</b>	16-TRAM-505-PEN	
17	In the Matter of the Investigation of RWS Trucking LLC of Erie, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Penalty Order</b>	16-TRAM-507-PEN	
18	In the Matter of the Investigation of Nextgen Services LLC of Ulysses, Kansas, Regarding the Violation(s) of the Motor Carrier Safety Statutes, Rules and Regulations and the Commission's Authority to Impose Penalties, Sanctions and/or the Revocation of Motor Carrier Authority. <b>Penalty Order</b>	16-TRAM-508-PEN	
19	In the matter of the failure of Rare Minerals, LLC ("Operator") to comply with K.A.R. 82-3-120. <b>Order Rescinding Penalty</b>	16-CONS-4015-CPEN	
20	In the matter of the failure of Palmer Oil, Inc. ("Operator") to comply with K.A.R. 82-3-111 at the Grassland #15 #1 in Morton County, Kansas. <b>Penalty Order - Palmer Oil, Inc.</b>	16-CONS-4028-CPEN	
21	In the matter of the application Trek AEC, LLC to amend to the saltwater disposal permit authorizing the injection of saltwater into the Arbuckle formation at the L.D. Slocombe #1 well, located in Section 19, Township 21 South, Range 3 East, Marion County, Kansas. <b>Order Designating Prehearing Officer and Setting Prehearing Conference</b>	16-CONS-4017-CUIC	

The above-captioned matter(s) were approved by the Commission, unless noted as removed.

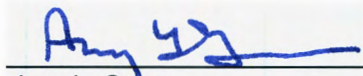
For the Commission :

  
Jay Scott Emler, Chairman

  
Shari Feist Albrecht, Commissioner

  
Pat Apple, Commissioner

Attest:

  
Amy L. Green  
Secretary to the Commission